

From: Susan Mazurski September 24, 2008 9:50:50 AM  
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To: SimsburyCT\_SelectMin  
Cc:

TOWN OF SIMSBURY  
BOARD OF SELECTMEN - REGULAR MEETING MINUTES  
SEPTEMBER 8, 2008

The Regular Meeting of the Board of Selectmen was held in the main Meeting Room of the Simsbury Town Offices. Present were: First Selectman Mary Glassman; Board members Moira Wertheimer, Robert Hensley, John Hampton, Michael Long, and Richard Hogan. Others in attendance included: Brandon Robertson, Hiram Peck, John Loomis, Joel Mandell, Emil Dahlquist, Kevin Kowalski, and other interested parties.

Ms. Glassman called the meeting to order at 7:00 p.m.

Mr. Ferg Jansen, 12 Echo Lane, said there have been a number of close calls on the bike path near Rte. 10 & 315 and would like the Board to see what can be done to prevent an accident from happening.

Mr. Jansen also noted that there a long wait time on Plank Hill / Drake Hill on the "no right turn on red" light. He would like the D.O.T. to look at this and remove that "no right turn on red" sign. He has written a letter to the Police Department on this issue. Mr. Hampton said the Public Safety Committee is meeting on the 17th and he would put the issues on the agenda. Ms. Glassman said she would put these issues and other issues in a letter to the Public Safety Committee as well.

Joan Coe, 26 Whitcomb Drive said there was a survey of surrounding towns and the salaries paid to the CEO of each town. She said that Simsbury is the only town with an elected First Selectman. She has asked the Board to convene a Charter Revision Commission to start the process of a Town Manager form of government.

Ms. Coe spoke about the beautification of the parking lot with flower, trees and a sprinkler system for them. She said the expenditure for this project was \$22,000, which was not budgeted for. She said this was also done with a "no bid" contract. This project should have been stopped as it was not bid on.

Ms. Coe said this Board had voted to eliminate all Town vehicles except the

ones needed for immediate public safety. This should mean the Chief of Police and the Captain and the Dog Warden.

Ms. Coe said there was a bill just passed in the legislature - Public Act 08-3, which states that all minutes of public meetings must be posted on the public agency internet website. She said the Police Commission minutes and others are not posted on the website and asked when this would be done.

Ms. Coe feels the Town Farm Dairy should be closed and the cows sold due to the e-coli problems. The Eno Trust is to benefit the poor.

Ms. Coe said many Town employees have not received wage increases in three years, although the supervisors have received theirs. Prices on everything, including gas and food, are going up and she asked when the employees will receive their increases.

Ms. Coe's comments can be read on [Simsbury.com/forum](http://Simsbury.com/forum). Her photos are attached.

Mr. Robert Kalechman, 971 Hopmeadow Street encouraged Ms. Coe to continue her reports and have pride in them.

Mr. Kalechman spoke about the Planning and Zoning hearings and how these volunteers work a lot of hours without pay and should be appreciated.

Mr. Kalechman spoke about employees with Town vehicles also.

Mr. Kalechman said there is a conflict of interest in an appointment with the Director to the Simsbury Music Committee. There is a new State Ethics Law that encompasses appointments made for people who serve on Town Committees. If the Town doesn't act, then the State will.

Mr. Kalechman said it is his understanding that the Board of Finance is the final authority for spending money. He feels this Board is doing things the same as the previous administration with the Board of Selectmen approving spending money without the approval of the Board of Finance.

Mr. Thomas Frank, 19 Banberry Drive spoke about item 3 of the agenda, the agreement with Pulsar Research and Consulting. He urged the Board to be clear on the objectives and results of the study. The planning needs to be up front with very clear objectives of the study. He gave the Board his proposal of guidelines for this research.

Mr. Frank also spoke about the Charrette process. He said there is very little new development in Town in the last 12 months. He feels the Charrette process is essential to what the people of the Town want. He

gave the Board a list of people who have an interest, no interest or some interest in the Charrette process.

Ms. Kirsten Griebel, Chairman of Simsbury Citizens First said they are sponsoring two debates for the Simsbury Representative Candidates. The first debate will be September 18th at 7:30 at the Simsbury Public Library and the second debate will on October 16th at 7:30 at the Library as well. All four candidates will be attending the debates. All are welcome. If residents would like to submit a question for consideration at the debate, please send it to [www.SimsburyCitizensfirst.com](http://www.SimsburyCitizensfirst.com).

Ms. Griebel also said the Simsbury Citizens First is trying to set up an 8th District State Senate debate.

Sue Bednarczyk, 119 Weatogue Street also feels the Pulsar Research needs to have solid details before going to the residents.

Ms. Bednarczyk said the Land Use Commissions should be supported on the Charrette. She feels there are grants that can be applied for to help with the cost of the Charrette. She feels the Town needs to come together to make this process happen as it is good planning, good for zoning and good for economic development.

Mr. Robert Wise said he has been a co-contracting party of the Town since 2002 and he would like to bring his contract to an end. He spoke again about the help he gave the Town and would like his contract settled at this time.

Ms. Glassman said the Board made an offer that he did not accept. Therefore, the Board will not have any response to his request at this time.

Mr. Joel Mandell, 7 Harriet Lane said he would like to thank Joe Grace for all his years of service to the Town on the Zoning Commission.

Mr. Mandell said he is also in favor of a Charrette. He participated in the last Charrette and would like to participate in this Charrette process as well. He feels the \$400,000 is an extremely high price for this process. He is strongly opposed to using the \$50,000 for the Simsbury Farms study as this is a jewel in Town. He would like to look further into the grant process, but doesn't want to use money from the operating budget to do this.

Mr. Mandell said the 12th Annual Greater Hartford Prayer Breakfast will be held on November 20th at 7:30 a.m. at the Arts Collaborative in Hartford. All faiths and religions will be in attendance and it is a great event.

Presentation by Director of Planning regarding required revision to Chapter 94 of the Town Code of Ordinances entitled "Flood Damage Prevention" and schedule Public Hearing for September 22, 2008 at 7:00p.m. as required by Section 404 of the Town Charter.

Ms. Wertheimer made motion: Resolved, the Board of Selectmen hereby schedules a public hearing pursuant to Section 404 of the Town Charter for 7:00p.m. in the Main Meeting Room of the Simsbury Town Offices to receive public comment regarding a proposed revision to Chapter 94 of the Town Code of Ordinances entitled "Flood Damage Prevention" and directs staff to publish a notice as required. Mr. Long seconded the motion. All were in favor and the motion passed.

Review, discuss and possibly schedule a date for a public hearing for September 22, 2008 at 7:00 p.m. to receive public comment regarding a proposed ordinance designed to authorize the First Selectman to declare a disaster/emergency.

Mr. Long made motion: Resolved, the Board of Selectmen hereby schedules a public hearing pursuant to Section 404 of the Town Charter to immediately follow the close of the public hearing scheduled for 7:00p.m. to receive public comment regarding a proposed ordinance concerning the declaration of a local disaster or emergency and directs staff to publish a notice as required. Section 2. Declaration of Local Disaster or Emergency will be changed to: "The First Selectman, or in his or her absence or incapacity, the Deputy First Selectman, and in both the First Selectman and Deputy First Selectman's absence or incapacity, The Board of Selectmen, acting pursuant to Connecticut General Statutes, Section 28-8a, is authorized to declare a local disaster or emergency when there exists within the Town of Simsbury conditions constituting a "major disaster," or "emergency," as those terms are defined by Connecticut General Statutes, Section 28-1. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

Review, discuss and possibly authorize the First Selectman to enter into an agreement with Pulsar Research and Consulting to perform a random sample survey of Simsbury Residents.

Ms. Glassman said there has been a lot of discussion on the Charrette process. She said the Sub-Committee feels the Town is ready to move forward with this process.

Mr. Hensley said the Board should make sure the surveys give quality data on what the residents really want.

Mr. Hampton made motion: Resolved, the Board of Selectmen hereby authorizes

the First Selectman to contract with Pulsar Research and Consulting to perform a public opinion poll of Simsbury residents as outlined in a proposal dated August 15, 2008 and in an amount not to exceed \$15,000. Mr. Hogan seconded the motion. All were in favor and the motion passed.

Mr. Long said he needs to learn more about the types of development wanted and what projects can bring in the most revenue.

Ms. Glassman said information will be available on the website, SCTV, and the newspapers.

Review, discuss and possibly take action regarding a recommendation by the Sub-Committee appointed by the Board of Selectmen to review and make recommendations regarding responses to the Charrette-Request for Proposals.

Ms. Glassman said there were five proposals received and feels the Charrette is an investment to the Town.

Mr. Long said he is conflicted and he does not agree with the transferring of funds as money is approved for certain items. He would like to move forward with the interview process.

After further discussion, Mr. Hampton made motion to move forward with interviews of the three consultants as recommended by the Board of Selectmen Charrette Sub-Committee. Mr. Long seconded the motion. All were in favor and the motion passed. The Board will also start a dialogue with the Board of Finance on this project.

Review, discuss and possibly take action regarding the establishment of a Special Revenue Fund for the purpose of collecting donations for the Charrette and recommend the establishment of same to the Board of Finance.

No action was taken.

Review, discuss and possibly approve a request by the Highway Superintendent to declare vehicles and equipment surplus and to accept sealed bids for the sale or disposal of same.

Mr. Hensley made motion: Resolved, the Board of Selectmen hereby approves the disposal of the vehicles and equipment as outlined in a request by the Highway Superintendent in a memo dated August 26, 2008 and authorizes the advertisement and collection of sealed bids regarding same. Mr. Hogan seconded the motion. All were in favor and the motion passed.

Review, discuss and possibly accept Erica Lane as recommended by the Town Engineer and Planning Commission.

Mr. Long made motion: Resolved, the Board of Selectmen hereby approves the acceptance of Erica Lane subject to the conditions required by the Town Engineer as follows: The receipt of As-Built drawings, deeds to road and utility easements and the posting of a 1 year maintenance bond in the amount of \$3,750.00. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

Review, discuss and possibly adopt resolutions authorizing the participation of the Town in the following grant programs through the State of Connecticut Department of Emergency Management and Homeland Security.

- a) Emergency Management Performance Grant Program
- b) Emergency Operations Center Equipment, Training and Exercise Program
- c) Emergency Operations Center Computer/Internet Stipend Agreement

Mr. Kowalski said the Town needs to participate in this process to obtain grants.

Mr. Hampton made motion: Resolved, that Mary A. Glassman, be and hereby is authorized to act on behalf of the Town of Simsbury in executing a Memorandum of Understanding with the State of Connecticut, Department of Emergency Management and Homeland Security, for participation in the FY2009 Emergency Management Performance Grant Program. Further, the Board of Selectmen authorizes the First Selectman to execute the following, subject to the approval of the Public Safety Committee:

Acceptance of EMPG program conditions of eligibility & budget estimate for FY2009

EOC Equipment, Training and Exercise Program-Acceptance of Conditions-Tier 11

EOC Computer/Internet Stipend Agreement

Review, discuss and possibly approve tax refunds as recommended and requested by the Tax Collector.

Mr. Long made motion: Resolved, the Board of Selectmen hereby approves tax refunds in the amount of \$12,761.45 as recommended and requested by the Tax Collector. Mr. Hensley seconded the motion. All were in favor and the motion passed.

#### LIAISON REPORTS

Mr. Hogan said the Aging & Disability Commission will hold their "Picnic in the Park" on September 13, 2008 at 265 Stratton Brook Road from 11:30 a.m. to mid afternoon. This event is free and will be posted on the website.

Ms. Glassman thanked Jeff Osborn and everyone who made the Clean-up Day a great success.

#### SUB-COMMITTEE REPORTS

Mr. Hampton said there will be a Public Safety Committee meeting on September 18, 2008 at 7:00 a.m. in the Main Meeting Room

#### MISCELLANEOUS

Review, discuss and possibly authorize the waiver of a rental fee for Eno Memorial Hall for a concert to be held to benefit "Hands to Hart" on October 4, 2008 featuring "Jake Goldbas and the Uptown Trio."

Mr. Hogan made motion to authorize the waiver of a \$100.00 rental fee for Eno Memorial Hall for a concert to be held to benefit "Hands to Hart" on October 4, 2008. Mr. Hampton seconded the motion. All were in favor and the motion passed.

#### APPOINTMENTS AND RESIGNATIONS

Review, discuss and possibly accept the resignation of Reverend Melvyn Kawakami from the Housing Authority.

Mr. Long made motion: Resolved, the Board of Selectmen hereby accepts the resignation of Reverend Melvyn Kawakami from the Housing Authority with thanks. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

Review, discuss and possibly accept the resignation of Joseph Grace from the Zoning Commission.

Mr. Long made motion: Resolved, the Board of Selectmen hereby accepts the resignation of Joseph Grace from the Zoning Commission with thanks. Mr. Hensley seconded the motion. All were in favor and the motion passed.

#### APPROVAL OF MINUTES

Review, discuss and possibly approve the Regular Meeting Minutes of August 11, 2008.

Ms. Wertheimer made motion to approve the Regular Meeting Minutes of August 11, 2008. Mr. Long seconded the motion. The following corrections were made: Page 2 - Tom Horan and a question on the L Designs website address; Page 3 - Tom Condon and under item 1 - collaborative will be changed to technology; page 6 - "revolving door" of officers. All were in favor with

the corrections and the motion passed.

ADJOURNMENT TO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING:

- a) KWT Realty vs. Town of Simsbury pursuant to C.G.S. 1-200 (9) Tax Appeal)
- b) Union negotiations-update

Mr. Hampton made motion to adjourn to Executive Session at 8:55 p.m.: Resolved, the Board of Selectmen hereby votes to adjourn to executive session to discuss items listed on the agenda. Ms. Wertheimer seconded the motion. All were in favor and the motion passed. Mr. Hogan recused himself from the executive session due to a possible conflict of interest.

ADJOURN FROM EXECUTIVE SESSION

At approximately 9:35 p.m. Robert Hensley made a motion to adjourn from Executive Session, Moira Wertheimer seconded the motion and Executive Session was adjourned.

Moira Wertheimer moved that the proposed settlement with KWT Realty be approved as recommended in a letter of September 4, 2008 from the Town Attorney. Mike Long seconded the motion and the motion was adopted unanimously.

Moira Wertheimer made a motion to adjourn the meeting at 9:36 p.m. Robert Hensley seconded the motion and all were in favor and the meeting was adjourned.

Respectfully submitted,

Mary A. Glassman  
First Selectman